

HOUSE BILL 3497

By Powers

AN ACT to amend Tennessee Code Annotated, Title 8,  
Chapter 10, Part 1, relative to constables.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 8-10-101(a)(3)(C), is amended by adding the following as a new subdivision thereto:

(vi)

(a) If the office of constable is abolished as provided pursuant to this subdivision (a)(3)(C), then the citizens of the county may petition the county election commission to place a question on the ballot to reinstate the office of constable. The petition requirements shall be the same as the petition requirements for a referendum pursuant to § 2-5-151.

(b) Upon a successful petition, the county election commission shall, pursuant to § 2-3-204, hold an election on the question of whether or not the office of constable shall be reinstated providing options to vote "FOR" or "AGAINST" the question.

(c) The votes cast on the question shall be canvassed and the results proclaimed by the county election commission and certified by the commission to the local governing body.

(d) The qualifications of voters voting on the question shall be the same as those required for participation in general elections. All laws applicable to general elections shall apply to the determination of the approval or rejection of the question on the ballot.

(e) A majority vote of those voting in the election shall determine whether the office of constable shall be reinstated. If the question is approved the office of constable shall be reinstated. If the question is not approved at the election, a successive referendum on the issue shall not be held for a period of two (2) calendar years.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.